

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK
UNITED STATES COURTHOUSE
100 STATE STREET, ROOM 2500
ROCHESTER, NEW YORK 14614-1324

CHAMBERS OF
DAVID G. LARIMER
DISTRICT JUDGE

(585) 613-4040
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March 12, 2007

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Rochester, New York 14614

RE: UNITED STATES V. ANTHONY WHITE - 05-CR-6096L

Dear Counsel:

Anthony White is scheduled for sentencing this Friday, March 16, 2007. I am prepared for sentencing.

This is to give notice that I am considering imposing a sentence higher than the Guideline range suggested in the presentence report. I am considering whether Mr. White's Criminal History Category under represents both the seriousness of his prior criminal history and the likelihood that he will commit other crimes. For essentially the same reason, the Court may consider a non-Guideline sentence and determine that under all the factors of 18 U.S.C. § 3553(a), a sentence above the Guideline range is appropriate. I have not finally decided whether to proceed in this fashion, but this is to give notice of the fact that I am considering such action.

Very truly yours,

A handwritten signature in black ink, appearing to read "David G. Larimer", written in a cursive style.

David G. Larimer
United States District Judge

DGL/ea